IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 27 OF 2004
IN
INCOME TAX APPEAL (LDG.) NO. 1267 OF 2003

The Commissioner of Income Tax, Mumbai City-VI ... Appellant.

V/s.

M/s.Gaxebo Industries Ltd. ... Respondent.

Ashok Kotangale for the appellant.

CORAM : DR.S.RADHAKRISHNAN and V.C.DAGA, JJ.

DATED : 11th June 2007.

P.C. :

. Heard learned counsel for the appellant. None for the respondent though served.

2. By this notice of motion, appellant seeks to condone delay of 56 days in filing appeal.

3. Perused notice of motion and affidavit in support thereof. For the reasons stated therein sufficient cause is made out for condoning delay in filing appeal. There is no case of inaction, negligence or want of bonafide on the part of the appellant. Hence notice of motion is made absolute in terms of prayer clause (a).

(V.C.DAGA, J.) (DR.S.RADHAKRISHNAN, J.)